

House File 2088 - Introduced

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BY MEGGERS

A BILL FOR

1 An Act relating to additional penalties for violations for
2 failing to reduce speed when required or otherwise control a
3 motor vehicle that result in serious injury or death.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.482A, unnumbered paragraph 1, Code
2 2024, is amended to read as follows:

3 Notwithstanding [section 321.482](#), a person who is convicted
4 of operating a motor vehicle in violation of section 321.178,
5 subsection 2, paragraph "a", subparagraph (2), section
6 321.180B, subsection 6, [section 321.194, subsection 2](#),
7 paragraph "b", subparagraph (2), [section 321.256, 321.257](#),
8 section 321.275, subsection 4, [section 321.276, 321.288](#),
9 [321.297, 321.298, 321.299, 321.302, 321.303, 321.304, 321.305](#),
10 [321.306, 321.307, 321.311, 321.319, 321.320, 321.321, 321.322](#),
11 [321.323, 321.324, 321.324A, 321.327, 321.329, 321.333](#), section
12 321.372, subsection 3, or [section 321.449B](#), causing serious
13 injury to or the death of another person may be subject to the
14 following penalties in addition to the penalty provided for
15 a scheduled violation in [section 805.8A](#) or any other penalty
16 provided by law:

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 Under current law, Code section 321.288 requires a person
21 operating a motor vehicle to control the vehicle at all times
22 and reduce the speed of the vehicle to a reasonable and proper
23 rate when approaching a pedestrian walking or an animal being
24 led, ridden, or driven on a highway; when approaching and
25 traversing a crossing, intersection, sharp turn, curve, or
26 steep descent on a highway; when approaching and passing
27 an emergency warning device, emergency vehicle displaying
28 revolving or flashing lights, or slow-moving vehicle displaying
29 reflective devices; and when approaching and passing through a
30 work zone. The scheduled fine for a violation of Code section
31 321.288 is \$135. Code section 321.482A sets forth additional
32 penalties applicable when a person is convicted of operating
33 a motor vehicle in violation of certain Code sections in Code
34 chapter 321 (motor vehicles and law of the road) if such
35 violation causes serious injury to or the death of another

1 person.

2 This bill adds Code section 321.288 to the list of violations
3 subject to additional penalties under Code section 321.482A.
4 When a person is convicted of a violation causing serious
5 injury, the additional penalties include a fine of \$500 or
6 suspension of the violator's driver's license or operating
7 privileges for not more than 90 days, or both. When a person
8 is convicted of a violation causing death, the additional
9 penalties include a fine of \$1,000 or suspension of the
10 violator's driver's license or operating privileges for not
11 more than 180 days, or both.